

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **ED CV 23-2019-DMG (SPx)** Date **October 11, 2023**

Title ***Indian Harbor Insurance Company v. Casa De Monte Vista, LLC, et al.*** Page **1 of 1**

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

**KANE TIEN**

Deputy Clerk

**NOT REPORTED**

Court Reporter

Attorneys Present for Plaintiff(s)  
None Present

Attorneys Present for Defendant(s)  
None Present

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE RE SUBJECT MATTER JURISDICTION**

On October 3, 2023, Plaintiff Indian Harbor Insurance Company (“Indian Harbor”) filed a Complaint against Defendants Casa de Monte Vista, LLC, Joseph Luisi, and Lisa Luisi, alleging claims relating to an insurance dispute between the parties. [Doc. # 1.]

Under 28 U.S.C. section 1332(a)(2), the Court has original jurisdiction over civil actions between “citizens of a State and citizens or subjects of a foreign state,” where the amount in controversy is also met. Limited liability companies and partnerships are citizens of every state or country in which their owners, members, or partners are citizens. *See Johnson v. Columbia Props. Advantage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (addressing citizenship of LLCs); *Carden v. Arkoma Assoc.*, 494 U.S. 185, 195–96 (1990) (addressing citizenship of partnerships).

The Complaint does not properly allege the citizenship of Casa de Monte Vista, LLC. It alleges that Casa de Monte Vista is a limited liability company organized pursuant to the laws of California, with a principal place of business in California. Compl. ¶ 5. It also alleges that its Chief Executive Officer, Joseph Luisi, and a managing member, Lisa Luisi, are both citizens of California, but does not specify whether there are any additional members whose citizenship must be accounted for. *Id.* ¶¶ 5–7. To meet its burden under Section 1332(a), Indian Harbor “must be able to allege affirmatively the actual citizenship of the relevant parties.” *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001) (citations omitted).

Indian Harbor is therefore **ordered to show cause** in writing by no later than **October 23, 2023**, why this action should not be dismissed without prejudice for lack of subject matter jurisdiction. Failure to file a timely satisfactory response by this deadline will result in the remand of this action or dismissal without prejudice.

**IT IS SO ORDERED.**